

DECEMBER 13, 2011

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MEETING MINUTES**

7:00 P.M.

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Pro Tem Harriman, with Councilors Drexel and Nesbitt present along with City Attorney Landwehr, City Manager Coleman, City Clerk Davidson, Finance Director Hanson, and the press. Mayor Houck, Councilor Seymour and WSC Liaison Edwards were absent. A Council quorum was present.

Consideration of Minutes:

Regular Session Meeting Minutes of November 29, 2011.

Councilor Nesbitt moved and Councilor Drexel seconded the motion to approve the Regular Session Meeting minutes of November 29, 2011, as submitted.

Roll call vote, yes: Drexel, Harriman, Nesbitt. Motion carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business:

2012 Budget Items (not individually scheduled). None.

New Business:

Excuse Councilor Seymour and Mayor Houck from the Meeting.

Councilor Drexel moved and Councilor Nesbitt seconded the motion to excuse Councilor Seymour, who is working out of town, and Mayor Houck, who is attending a meeting in Denver for the USA Pro Cycling Challenge, from this evening's meeting.

Roll call vote, yes: Harriman, Nesbitt, Drexel. Motion carried.

Roll call vote, no: None.

Action on Letter of Support for Bear Ranch Land Transfer. Mayor Pro Tem Harriman stated this item was discussed at last week's Work Session meeting. A typographical error in the last paragraph on the letter was noted. City Clerk Davidson stated she would insert the word "in" after the word "outlined". City Manager Coleman explained regarding Councilor Seymour's question of last week, the request for this letter of support came from the property owner's representatives, Western Land Group. Tom Glass made the initial contact and request. Councilor Nesbitt stated he initially was not in favor of the letter, but after talking about it with several local citizens, he is supporting the County's position on the transfer. A short discussion ensued about requests for letters of support.

Councilor Nesbitt moved and Councilor Drexel seconded the motion to approve the Letter of Support for the Bear Ranch Land Transfer as amended, and have all of Council sign the letter.

Roll call vote, yes: Nesbitt, Drexel, Harriman. Motion carried.

Roll call vote, no: None.

Action on Letter of Support for Gunnison County Public Health's "Live Well Colorado Healthy Eating Active Living" Grant Application. Mayor Pro Tem Harriman stated this item was discussed at last week's Work Session meeting. There have been no changes to the letter. Mayor Pro Tem Harriman also stated there is no financial obligation or resource commitment by the City regarding the grant application.

Councilor Drexel moved and Councilor Nesbitt seconded the motion to approve the letter of support for the Gunnison County Public Health's "Live Well Colorado Healthy Eating Active Living" Grant application and to authorize the Mayor's signature on said letter.

Roll call vote, yes: Drexel, Harriman, Nesbitt. Motion carried.

Roll call vote, no: None.

Action on Amendment to City Employee Handbook, Re: Part-Time Benefits.

Action on Amendment to City Employee Handbook, Re: Compensation Section Definitions Clarifications. Both of these items were discussed at last week's Council Work Session. City Manager Coleman stated that he has had an opportunity to review the compensation section definition clarifications and he is good with the language.

Councilor Nesbitt moved and Councilor Drexel seconded the motion to approve the Changes to the City Employee Handbook, as stated in the December 8, 2011, memorandum from Finance Director Hanson, increasing the required hours of a part-time employee receiving City benefits from 20 hours per week to 30 hours per week, and allowing current part-time employees eligible for benefits the opportunity to continue to receive benefits, as outlined in Sections 3.1(B) through 4.6 (a)(2).

Roll call vote, yes: Harriman, Nesbitt, Drexel. Motion carried.

Roll call vote, no: None.

Councilor Nesbitt then clarified and added to the above motion. Councilor Nesbitt moved and Councilor Drexel seconded the motion to approve the changes as stated in the December 8th memorandum from Finance Director Hanson to the City Employee Handbook Part-Time Compensation clarifying overtime payments in Sections a through d of the memo, those changes being: moving Section 3.5 Pay Periods and Basic Work Week to Section 3.2; clarify the definition of a basic work week (40 hours for non-police officers and fire personnel) and a work period (80 hours for police officers and fire personnel); move Section 3.2D and include under Sections E and F, as applicable; and correct all reference of “40 hours per pay period” to “40 hours per work week” or “80 hours per work period” depending on the application.

Roll call vote, yes: Nesbitt, Drexel, Harriman. Motion carried.

Roll call vote, no: None.

Action to Cancel Regular Session Council Meeting on December 27, 2011. Mayor Pro Tem Harriman explained the Council is meeting its City Charter requirement by holding at least one Regular Session meeting per month with this evening’s meeting.

Councilor Nesbitt moved and Councilor Drexel seconded the motion to cancel the Regular Session Council meeting scheduled for December 27, 2011.

Roll call vote, yes: Drexel, Harriman, Nesbitt. Motion carried.

Roll call vote, no: None.

Action to Set Special Session Meeting for Tuesday, December 20, 2011. Mayor Pro Tem Harriman explained that an item has been added to the proposed agenda for next week’s Special Session. In light of the recent announcement about the USA Pro Cycling Challenge coming back to Gunnison, a discussion on the event has been added to the agenda.

Councilor Drexel moved and Councilor Nesbitt seconded the motion to set a Special Session meeting of City Council for 7:00 P.M., on Tuesday, December 20, 2011, to consider the following agenda items: to discuss the USA Pro Cycling Challenge 2012 event, to conduct the City Manager’s Performance Evaluation, to potentially conduct an Executive Session regarding personnel issues, which would be the City Manager’s evaluation; and to take action on the City Manager’s 2012 employment contract.

Roll call vote, yes: Harriman, Nesbitt, Drexel. Motion carried.

Roll call vote, no: None.

Ordinance and Resolutions:

Ordinance No. 12, Series 2011; Re: Setting City Tax Levy, 2nd Reading. Councilor Nesbitt introduced Ordinance No. 12, Series 2011, and it was read in its entirety by the Mayor Pro Tem.

Councilor Nesbitt moved and Councilor Drexel seconded the motion that Ordinance No. 12, Series 2011, **AN ORDINANCE SETTING A TAX LEVY FOR THE CITY OF GUNNISON, COLORADO**, be introduced, read, passed and adopted on second and final reading, this 13th day of December, 2011, and that copies be made available to the public.

Roll call vote, yes: Nesbitt, Drexel, Harriman. Motion carried.

Roll call vote, no: None.

Ordinance No. 13, Series 2011; Re: Adopting and Appropriating 2012 City Budget, 2nd Reading. Councilor Nesbitt introduced Ordinance No. 13, Series 2011, and it was read by title along with Sections 1 and 2, by the Mayor Pro Tem.

Councilor Nesbitt moved and Councilor Drexel seconded the motion that Ordinance No. 13, Series 2011, **AN ORDINANCE ADOPTING AND APPROPRIATING AN ANNUAL BUDGET**, be introduced, read, passed and adopted on second and final reading, this 13th day of December, 2011, and copies be made available to the public.

Roll call vote, yes: Drexel, Harriman, Nesbitt. Motion carried.

Roll call vote, no: None.

Ordinance No. 14, Series 2011; Re: Adopting Additional Appropriation for 2011 City Budget, 2nd Reading. Councilor Nesbitt introduced Ordinance No. 14, Series 2011, and it was ready by title along with Numbers 1 through 6, by the Mayor Pro Tem.

Councilor Nesbitt moved and Councilor Drexel seconded the motion that Ordinance No. 14, Series 2011, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011**, be introduced, read, passed and adopted on second and final reading this 13th day of December, 2011, and copies be made available to the public.

Roll call vote, yes: Harriman, Nesbitt, Drexel. Motion carried.

Roll call vote, no: None.

City Attorney: Nothing to report.

City Manager: Ken Coleman. City Manager Coleman reported on the following: he was out of town last week; the October Sales Tax report is complete and there is a positive report of a approximate 1% increase, so the City is on track and meeting the projected flat balance; he attended the WSC SGA meeting last week and discussed the proposed internship program with them; the internship program was well-received with a high degree of interest and informational flyers will be distributed by the SGA members all over campus; as they have heard, Gunnison has once-again been selected to be a host City for a Stage Start community for the USA Pro Cycling Challenge event in August; the actual route of the race has not been released at this time and they were told not to speculate on the route; the upper rink is open and there will be Mites and Mini-Mites tournaments, which are a lot of fun to watch because they are the younger skaters, this weekend on all of the rinks; Staff is working on handling a neighborhood nuisance complaint and are trying to mediate the situation; the City will be reviewing a proposed VanTuyl Ranch Management Plan and will give input on the proposal; work continues on the trail on the back side of the VanTuyl Ranch; he will be bringing forward discussion in the future to Council regarding the issues and conflicts with public-private interface on the ranch property; the annual Rudolph Games will take place for the kids next Tuesday at the Community Center; the Electric Crew is working on setting the transformer and running the lines at the Whitewater Park; and the City Christmas Party is this Friday, starting at 6:00 P.M. at the Community Center.

Acting City Manager/City Clerk: Gail Davidson – Semi-Annual Report. Clerk Davidson stated her semi-annual report is in Council's packets. She touched on several of the items in the report. She commended her staff, Deputy City Clerk Tara Kindall and Municipal Court Clerk Melissa McLeod, for all of the great work and customer service they provide. One of the primary functions of the department is to interact with customers on the telephone and City Hall walk-in customers. Clerk Davidson highlighted the following: there have been changes in the Municipal Court fines structure in the past six months; development and implementation of the new City website is complete and Deputy City Clerk Tara Kindall was instrumental in this process; there was a change in the Special Event Liquor Permitting process and notification of non-profit organizations is taking place; transient merchant license inquiries were received and two were issued this summer; records past their retention schedule were destroyed in compliance with the City-adopted Records Retention Schedule; and this year's Youth City Council has been selected and appointed and have been meeting regularly. City Manager Coleman commended the City Clerk's staff for their customer service and stated the new City website is much more inviting and user friendly. Council thanked the City Clerk for her report.

WSC Liaison: Nicholas Edwards was absent.

Non-Scheduled Citizens: None.

City Council General Discussion, Meeting Reports, Items for Work Sessions:

Councilor Drexel: reported on the following: he attended the Gunnison Valley Broadband Committee meeting yesterday and they discussed ways to bring broadband into the valley; broadband improvements might include access to all businesses, governmental entities then residences; there is a need for redundancy in services; and their next committee meeting will include forming the organization to accomplish the project and looking at ways to getting volunteer help for grant writing to fund the project. City Manager Coleman stated there is a state-wide project underway to fund internet redundancy and there is \$90 million in available grants.

Councilor Nesbitt: reported on the following: he attended the Water Board meeting last night and they passed their budget with 1.77 mills. This is staying at the same level. Councilor Nesbitt then discussed the NexGen – Quality Health Network. This program includes electronic health information transfer and is a positive economic development factor. Councilor Nesbitt then informed Council there was an article in the Pueblo Chieftain Newspaper regarding the transmountain diversion of water from the Larkspur Ditch on Marshall Pass. The water will go to Otero County and over a million dollars was spent on the conditional decree.

Mayor Pro Tem Harriman: reported on the following: it was a busy week in Gunnison; she attended the Public Safety Center ribbon cutting and it is a wonderful improvement for the County; she attended the dedication of the 8' tall Mountaineer Statue at WSC that was dedicated to Dick Bratton; and she attended the Night of Lights as well and the tree was lovely. Mayor Pro Tem Harriman informed Council she attended a workshop on radon testing that was sponsored by ORE. There are grants available for tests and some rebates for mitigation as well. 30 people attended the free class and it is really a worthwhile program.

Adjournment: Mayor Pro Tem Harriman called for any further comment and hearing none, the Regular Session meeting was adjourned at 8:16 P.M.

Mayor Pro Tem

City Clerk